

MELINDA HAAG (CSBN 132612)  
United States Attorney

MIRANDA KANE (CSBN 150630)  
Chief, Criminal Division

HANLEY CHEW (CSBN 189985)  
Assistant United States Attorney

CAROLYNE A. SANIN (DCBN 499564)  
Special Assistant United States Attorney

150 Almaden Boulevard, Suite 900  
San Jose, California 95113  
Telephone: (408) 535-5060  
Facsimile: (408) 535-5066  
[hanley.chew@usdoj.gov](mailto:hanley.chew@usdoj.gov)  
[carolyne.sanin@usdoj.gov](mailto:carolyne.sanin@usdoj.gov)

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
GARY JAMES ROLLER, )  
 )  
Defendant. )  
\_\_\_\_\_ )

No. CR 08-00361(B) RMW

**NOTICE OF DISMISSAL AND  
[] ORDER**

With leave of the Court, and pursuant to Federal Rule of Criminal Procedure 48(a), the United States Attorney for the Northern District of California dismisses count one of the above indictment without prejudice.

DATED: January 14, 2013

Respectfully submitted,

MELINDA HAAG  
United States Attorney  
/s/

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HANLEY CHEW  
Assistant United States Attorney  
CAROLYNE A. SANIN  
Special Assistant United States Attorney

[ ] ORDER

The Court hereby grants the government leave to dismiss count one of the indictment without prejudice.

DATED: FEB 15 2013

  
THE HONORABLE RONALD M. WHYTE  
United States District Court Judge